

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

In re:

*

Bryan & Amber Gruzenski

*

Case No.: 10-24268

Debtor

*

Chapter 13

* * * * *

MOTION FOR AUTHORIZAION TO SELL REAL PROPERTY

NOW COMES the Debtors, Bryan & Amber Gruzenski, by and through their attorney, Robert A. Siegel, Esquire and requests the following from this Honorable Court:

1. That this Court has jurisdiction over this matter as a core proceeding pursuant to 28 U.S.C. Section 1334 and Section 157 (b)(2)(K), 11 U.S.C. Section 363 and Bankruptcy Rules 6004 and 9014.

2. That on June 24, 2010, Bryan & Amber Gruzenski, ("the debtors") filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code, 11 U.S.C., commencing in this Court Case No. 10-24268.

3. That Debtors own in fee simple the real property known as 207 Audrey Avenue, Brooklyn, Maryland 21225 (hereinafter "Real Property") and wish to sell the same.

4. That on September 20, 2013, Debtors entered into a Contract of Sale with Preston Drury and Lauren Naill (hereinafter "Buyers") to sell the real property. The sale is a private sale (arm's length transaction) and all liens and encumbrances shall be paid at the time of settlement. The parties have no other relationship outside of this contract. A copy of the contract of sale will be submitted to the Clerk of the Court. Any party wishing to receive a copy of the entire contract of sale may obtain the same directly from Debtor's counsel upon request.

5. That the contract sets forth a purchase price of \$125,000.00. Said purchase is to be paid in full by the Buyers in cash or certified check at settlement.

6. That on December 23, 2013, an appraisal was performed by Patrick K. Powers of Powers Appraising, LLC, 10 Lombardy Place, Towson, MD 21204. The appraised value is \$127,000.00.

7. That Seller and Buyer have agreed to share all transfers and recordation taxes created by the sale.

8. That Debtors have one existing mortgage against the real property in favor of Midland Mortgage, a division of MidFirst Bank, with a payoff balance of \$152,000.00 (approximately).

9. That this is a Short Sale and MidFirst Bank is willing to release the Debtors from any deficiency balance owed.

10. That Debtors consent to remit all proceeds, if any, from the sale to the Trustee. However, no proceeds are expected as this is a Short Sale.

WHEREFORE, Debtors move for the following relief:

A. That the proposed sale of Debtors' Real Property proceed in accordance with the Sales Contract in exchange for the Debtors' complete release from any liability thereunder;

B. For such other and further relief as may be necessary.

1/8/14
Date

/s/ Robert A. Siegel
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